

BECKMAN CONSTRUCTION CO.

CONTRACT NO. V69DC-142

VABCA-6310

VA MEDICAL CENTER
CHICAGO (LAKESIDE), ILLINOIS

James F. Beckman, President, Beckman Construction Co., Forth Worth, Texas,
for the Appellant.

Stacey North Willis, Esq., Trial Attorney; *Charlma J. Quarles, Esq.*, Deputy
Assistant General Counsel; and *Phillipa L. Anderson, Esq.*, Assistant General
Counsel, Washington, D.C., for the Department of Veterans Affairs.

**ORDER OF DISMISSAL
(RULE 5)**

1. On July 18, 2000, the Government filed a MOTION TO DISMISS the captioned appeal, citing the Contractor's failure to certify its \$887,771 claim to the Contracting Officer. The absence of any certification in the accompanying claim documents supports the Government's position. On August 22, 2000, eight days after the deadline for its response, the Appellant's President was contacted by the Board's Recorder. Mr. Beckman stated that he would be filing no response.
2. The Appellant having conceded the failure to certify a claim exceeding \$100,000, a concession supported by the evidence before us, the Board has no

jurisdiction to hear this appeal. Lacking certification, such a claim is not a qualifying claim under the *Contract Disputes Act of 1978*. Accordingly, VABCA-6310 is DISMISSED for lack of jurisdiction, pursuant to Board Rule 5.

IT IS SO ORDERED

DATE: **August 23, 2000**

JAMES K. ROBINSON
Administrative Judge